

Amendments to the Drawings:

The attached sheet of drawings includes changes to Fig. 10. This sheet, which includes Figs. 9 & 10, replaces the original sheet including Figs. 9 & 10.

Attachments: 2 Replacement Sheets
2 Annotated Sheets

Remarks

Claims 11-18 & 21 are pending. The examination and reconsideration are requested.

In paragraph 2 of the Office Action, claims 11-18 & 21 were rejected under 35 U.S.C. § 112, ¶ 1. The Examiner stated that "It is unclear where the substrate being flexible is supported in the specification as filed." The Specification states that "The substrate is preferably molded out of at least a semi-rigid plastic such as ABS, polycarbonate, or TPO." Specification, 6:28-7:1. "TPO" is an abbreviation for thermoplastic polyolefin. Such a material is an elastomer. This term includes uncrosslinked polyolefins that are rubbers. Their extension and retraction properties are notably different from those of a thermosetting elastomer. HAWLEY'S CONDENSED CHEMICAL DICTIONARY, pp. 453-4 (11th Ed. 1987) (copy attached).

Additionally, support for the substrate being flexible appears in the Specification at 6:28 ("semi-rigid plastics"). The term "semi-" qualifies and connotes a deviation from rigidity which is embraced by the limitation "flexible", as applied in claim 1 to the "substrate". Additionally, the Specification calls for "at least a semi-rigid plastic material". The "at least" qualifier is applied to the phrase "semi-rigid". Thus, to one of skill in the art, the term "at least" connotes a plastic material which retains some flexibility.

For these reasons, the disclosure provides support for the "flexible" qualification of the claimed "substrate" in claims 11-18 & 21.

For these reasons, claims 11-18 & 21 comply with 35 U.S.C. § 112, ¶ 1.

In paragraph 4 of the Office Action, claims 11-18 & 21 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Barberis (U.S. 4,905,511) in view of Strapazzini (U.S. 5,529,742) or Gonas (U.S. 5,700,050). Barberis '511 discloses "a shaped base of thermoplastics material produced by injection moulding . . ." '511 patent, 1:37-39. That

reference discloses a base made of a thermoplastic material. '511 patent, 2:57-60. Each panel is rigid. *Id.*, 3:1. It is made of Masonite or a similar material. The '511 reference also calls for a "covering 6 . . . [which comprises] a layer of soft material, such as wadding or the like, to which is heat-welded a layer of natural or synthetic fabric . . .".

Thus, the '511 patent fails to disclose the invention as claimed. Additionally, the approach disclosed by the '511 reference teaches away from the invention as claimed in that it entails at least one additional manufacturing step (heat welding a layer of fabric).

In contrast, the invention as claimed calls for "a flexible substrate". One purpose of the "flexible" characteristic is the ability to unite with the insert panel so as to minimize or avoid parting lines that would otherwise be visible to the vehicle occupant. Specification 7:25.

Claim 1 has been amended so that it calls for "an insert panel comprised of a laminated material with multiple layers . . .". Support lies in the Specification at 6:13. Claim 17 has been amended to clarify that the composite panel includes an insert panel with multiple layers of the laminate material that are embodied in a formable sheet. Support lies in the Specification at 6:15-16. Claim 23 clarifies that the formable sheet is provided in roll form. Support lies at 6:16.

Claim 24 is newly added. Support lies in the Specification at 6:17.

Claim 25 is newly added. Support for claim 25 lies at 6:18-20.

The '511 reference discloses "a layer of soft material, such as wadding or the like, to which is heat-welded a layer of natural or synthetic fabric . . .". '511 patent, 3:3-8. The insert panel as claimed calls for a material that is dissimilar from the "soft material" that is disclosed by the '511 reference.

Strapazzini '742 discloses inserts that are "carpet-like . . .with heavily textured surfaces . . .". '742 patent, 1:29-33. The '742 patent calls for the inserts to be bonded along their edges. The blank is then positioned within a mold. Ribs are positioned to engage bonded portions and adjacent sheet portions. '742, 1:58-2:10. In the '742 disclosure, there is no suggestion for a combination or motivation provided for the combination that the Examiner proposes.

Similar comments are applicable to the Gonas '050 reference. The '050 reference discloses a safety molding for an interior trim piece of an automobile. '050 patent, 2:40-42. In addition to not providing a motivation to make the proposed combination, the '050 patent lies in a non-analogous art: a blow molded shell of resilient plastic material.

The Examiner states that "the tabs of claim 21 are taken as being similar to element 8 of Barbaris." Claim 21/12/11 however calls for a laminate material with multiple layers. There is no such recitation or suggestion in Barbaris.


Applicant has carefully reviewed the Examiner's remarks made in paragraph 5 of the Office Action. The Examiner is respectfully asked to reconsider his position on the "at least semi-rigid" argument, and review it in light of the amendments and arguments made herein.

Applicant has taken this opportunity to correct an error in the drawings as filed by deleting superfluous verbiage from Figures 10 and 17. Approval of the proposed change (identified in red) is requested.

A check in the amount of \$55.00 is enclosed to cover the Petition fee. Please charge any additional fees or credit any overpayments as a result of the filing of this paper to our Deposit Account No. 02-3978 -- a duplicate of this paper is enclosed for that purpose.

Respectfully submitted,

Phillip Patrick Carroll III

By 

William G. Abbatt
Reg. No. 31,936
Attorney/Agent for Applicant

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BROOKS KUSHMAN P.C.
1000 Town Center, 22nd Floor
Southfield, MI 48075-1238
Phone: 248-358-4400
Fax: 248-358-3351

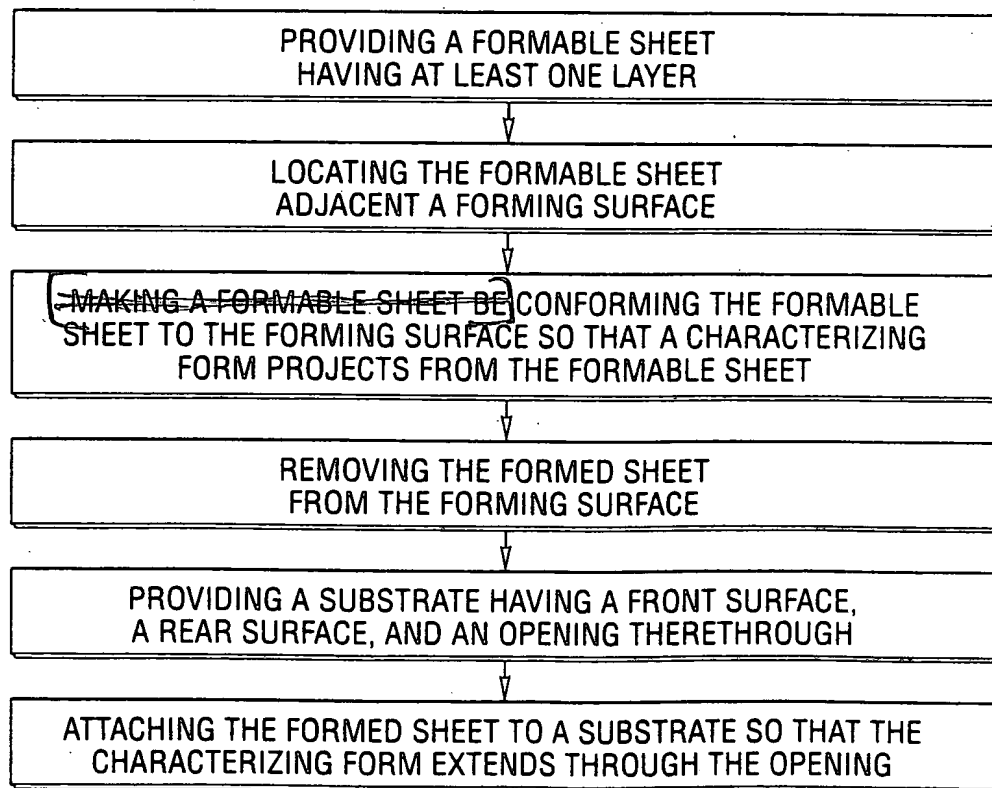
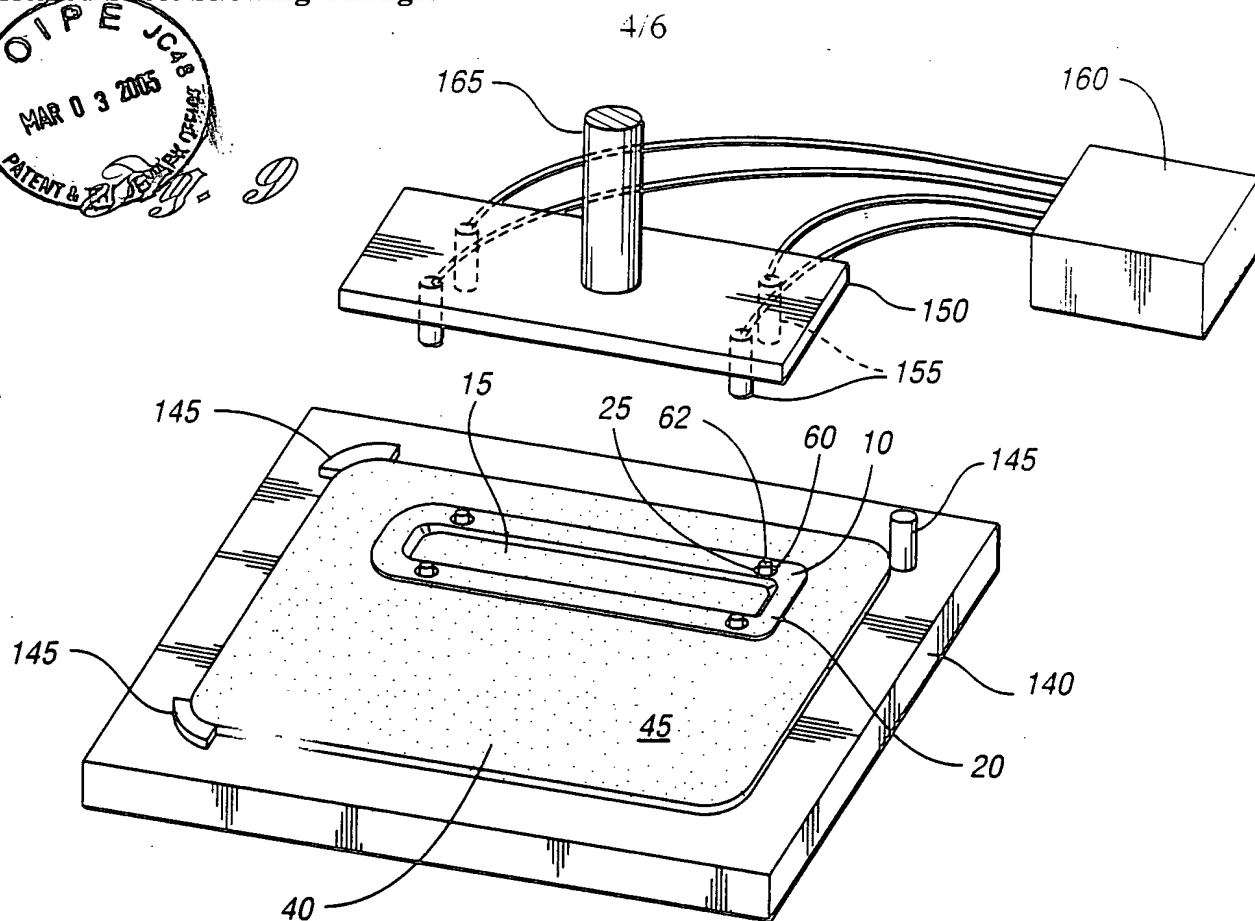
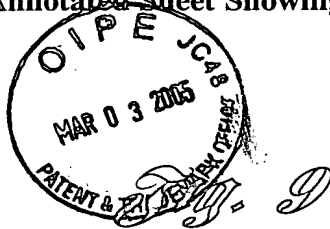


Fig. 10

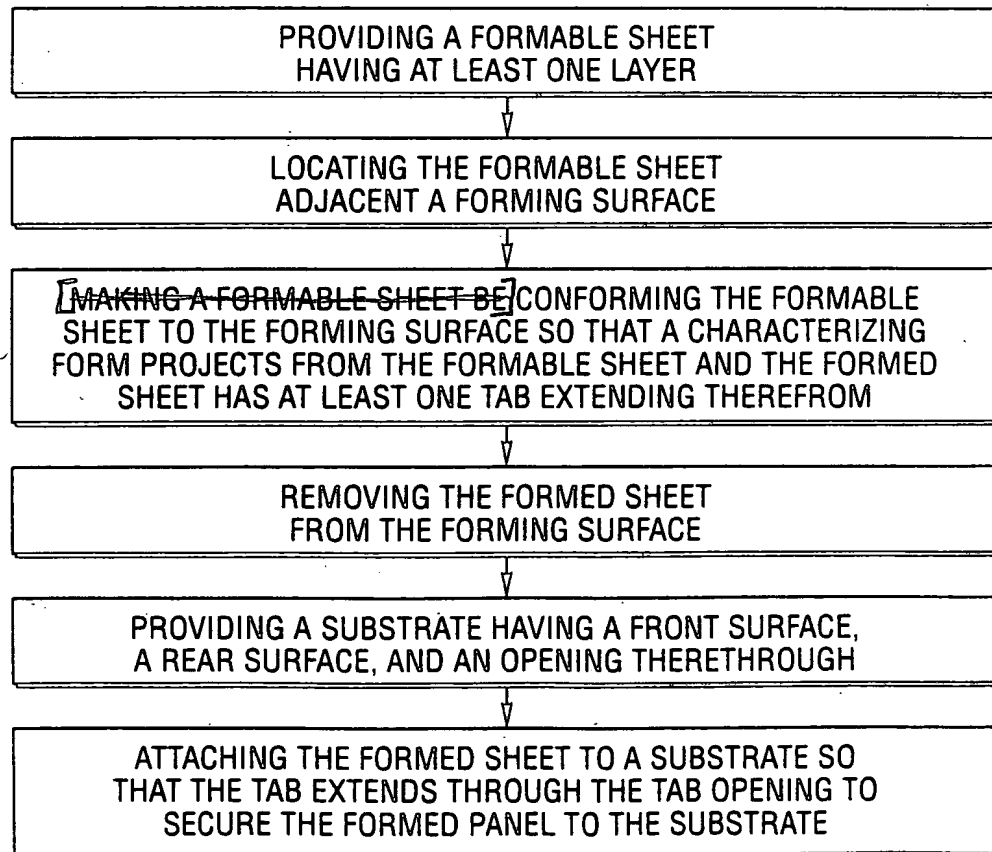
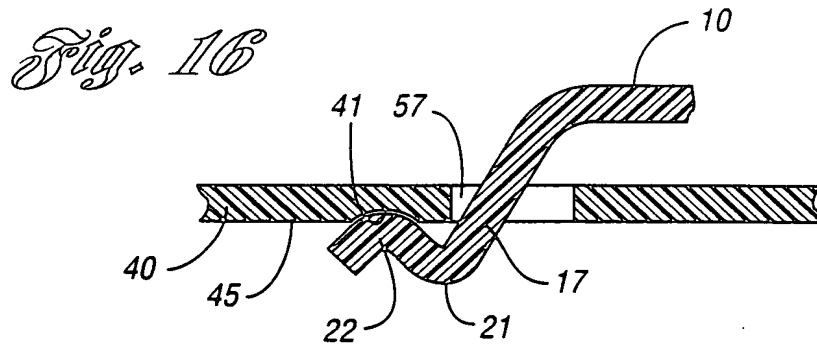
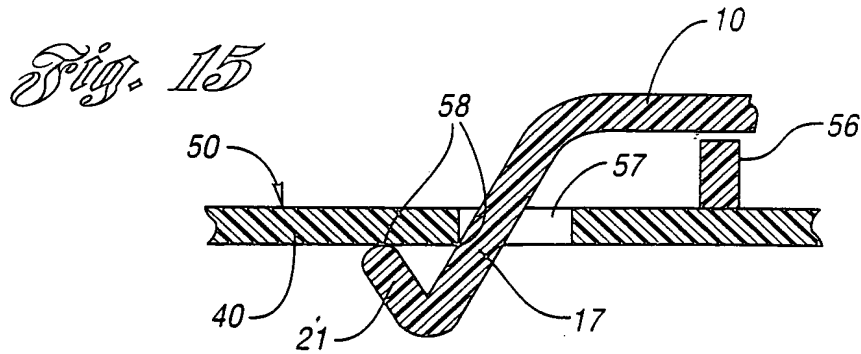


Fig. 17